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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION**

CHARLES BURKHOLDER,)	Case No.: 2:21-CV-00424-DMC
)	
Plaintiff,)	
)	
vs.)	STIPULATION TO VOLUNTARY
)	REMAND PURSUANT TO SENTENCE
KILOLO KIJAKAZI,)	FOUR OF 42 U.S.C. § 405(g) AND TO
Acting Commissioner of Social Security,)	ENTRY OF JUDGMENT; ORDER
)	
)	
Defendant.)	

IT IS STIPULATED by and between Plaintiff and Defendant Kilolo Kijakazi, Acting Commissioner of Social Security, through their undersigned counsel, that the above-entitled action shall be remanded to the Commissioner of Social Security for further administrative proceedings.

Upon remand, the Office of Hearing Operations will remand the case to an Administrative Law Judge (ALJ) for a new decision and instruct the ALJ to re-evaluate the evidence of record. In doing so, the ALJ will offer Plaintiff the opportunity for a new hearing, take further action as necessary to complete the administrative record, and issue a new decision.

1 The parties further request that the Court direct the Clerk of the Court to enter a final judgment
2 in favor of Plaintiff and against Defendant, reversing the final decision of the Commissioner.

3 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the
4 Social Security Act, 42 U.S.C. 405(g).

5 Respectfully submitted this 9th day of March 2022.

7 Dated: March 12, 2022

/s/ Melissa Markos Nyman*

MELISSA MARKOS NYMAN

Attorney for Plaintiff

*Authorized via e-mail on March 11, 2022

/s/ Ashish A. Agrawal*

ASHISH A. AGRAWAL

Attorney for Plaintiff

*Authorized via e-mail on March 11, 2022

13 Dated: March 12, 2022

PHILIP A. TALBERT

Acting United States Attorney

DEBORAH LEE STACHEL

Regional Chief Counsel, Region IX

Social Security Administration

17 By: /s/ Linda H. Green

LINDA H. GREEN

Special Assistant United States Attorney

Attorneys for Defendant

21 **ORDER**

22 Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42
23 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown, **IT**
24 **IS ORDERED** that the above-captioned action is remanded to the Commissioner of Social
25 Security for further proceedings consistent with the terms of the Stipulation to Remand.

26 Dated: March 17, 2022



WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE